

FILED BY *AC* D.C.

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THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W.D. OF TENNESSEE

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY *JH* D.C.

05 DEC 21 PM 2: 13

CONSOLIDATED CONTAINER
COMPANY LP,

Plaintiff,

v.

WARREN UNILUBE, INC.,

Defendant.

Civil Action No. 05-2371 BV

Granted
Deane K. Unruh
U.S. Magistrate
December 28, 2005

UNOPPOSED MOTION TO MODIFY EXPERT WITNESS DISCLOSURE
DEADLINES IN SCHEDULING ORDER


Comes now Consolidated Container Company ("Consolidated"), by counsel, and moves the Court to modify the expert witness disclosure deadlines contained in the Scheduling Order heretofore entered by the Court in this case.

Under the current Scheduling Order that was entered by the Court on August 19, 2005, Consolidated must disclose its Rule 26 expert information by December 27, 2005, and Warren must disclose its Rule 26 expert information by January 27, 2006. Consolidated requests that the expert witness disclosure deadline for Consolidated be reset to, and include, January 16, 2006, and the expert witness disclosure deadline for Warren Unilube be reset to, and include, February 13, 2006. The deadline for expert depositions would not change.

In support of said Motion, counsel would respectfully state that Defendant would consent to the proposed extension and, in light of the approaching holiday season, is requested in an

effort to allow the parties to complete the identification of appropriate experts and to allow time for those experts to complete their analysis.

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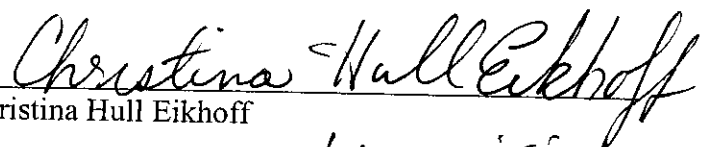
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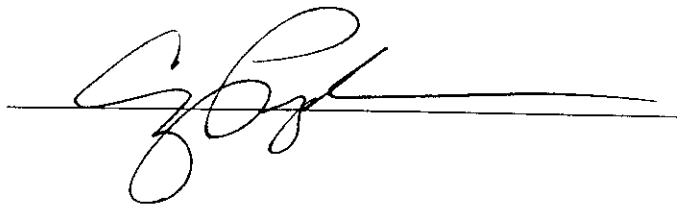
CERTIFICATE OF CONSULTATION

The undersigned, Christina Hull Eikhoff, hereby certifies that she is counsel for Plaintiff Consolidated Container Company in this civil action and that on December 19, 2005, she consulted with Christine F. Mayhew, Defendant's attorney, regarding Consolidated's proposal to extend the expert witness deadline in the current scheduling order. Ms. Mayhew stated that Defendant did not oppose the proposed changes to the scheduling order.


Christina Hull Eikhoff
by permission
AMP

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing has been served upon counsel for defendant, John S. Golwen, at Bass, Berry & Sims, PLC, 100 Peabody Place, Suite 900, Memphis, Tennessee 38103, by U.S. Mail, this 21st day of December, 2005.

A handwritten signature in black ink, appearing to read "J.S. Golwen", is written over a horizontal line.



Notice of Distribution

This notice confirms a copy of the document docketed as number 45 in case 2:05-CV-02371 was distributed by fax, mail, or direct printing on December 30, 2005 to the parties listed.

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Honorable J. Breen
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